

REMARKS

This application has been reviewed in light of the Office Action dated January 13, 2004. Claims 1-6, 12, and 14-17 are presented for examination, of which Claims 1 and 6 are in independent form. Claims 11, 13, and 18 have been cancelled, without prejudice or disclaimer of subject matter. Claims 1, 3, 6, 12, and 14-17 have been amended to define still more clearly what Applicant regards as his invention. Favorable reconsideration is requested.

In the Office Action, Claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite, and Claims 1-6 and 11-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patents 5,661,568 (Ueno) and 5,216,517 (Kinoshita et al.), in combination.

First, cancellation of Claims 11, 13, and 18 renders the rejection of those claims moot.

The claims have been carefully reviewed and amended as deemed necessary to ensure that they comply fully with the requirements of Section 112; these changes are not believed, or intended, to narrow the scope of any claim. Withdrawal of the rejection under Section 112 is therefore respectfully requested.

The aspect of the present invention set forth in Claim 1 is a communication apparatus adapted to execute a plurality of kinds of facsimile protocols, which comprises a call signal detector circuit adapted to detect a call signal from a communication line, and an ID detector circuit adapted to detect ID information for identifying a calling station from the communication line before start of communication with the calling station, when the call signal detector circuit has detected the call signal from the communication line. Also provided are a memory adapted to store ID information for identifying a calling station and

facsimile protocol information for indicating a facsimile protocol used for communication with that calling station, in correspondence with each other, and a control circuit adapted to cause communication to determine a facsimile protocol to be used, when the ID detector circuit cannot detect the ID information, and adapted to cause communication based on the facsimile protocol corresponding to the ID information detected by the ID detector circuit, with the detected ID information.

Among other important features of an apparatus constructed according to Claim 1, are that (1) ID information for identifying a calling station and a facsimile protocol are stored in a memory in correspondence with each other, (2) when the ID information for the calling station cannot be detected at reception of a call signal, communication is executed to determine a protocol to be used, and (3) when the ID information can be detected at reception of the call signal, communication is executed based on the facsimile protocol corresponding to the ID information as detected.

Ueno relates to a data communication apparatus in which, in a calling station, ID information of a called station and a facsimile protocol are stored in a memory, in correspondence with each other, and on an occasion of auto-dialing using a one-touch dial or abbreviation dial feature, a facsimile protocol corresponding to ID information of the called station designated by a user is read out from the memory and used to start communication. Applicant notes, however, that *Ueno's* data communication apparatus uses a CI detection circuit for detecting a call signal, a dialing circuit for dialing to a communication line, and a relay circuit for forming a DC loop, as described in column 4, lines 51 -57, but submits that nothing in that patent would teach or suggest even a structure for detecting ID information of

a calling station sent from a communication line. for at least that reason, cLaim 1 is believed to be clearly allowable over *Ueno* taken alone.

Kinoshita relates to a communicaiton terminal appratus in which, when ID information of a calling station included in a calling signal as received is registered in a called station, a communication protocol for remote control corresponding to a sub-address designated by the calling station is executed, while when such ID information is not registered, a regular image communication receiving process is executed.

However, Applicant submits that nothing in *Kinoshita* would teach or suggest communicating with a calling station so as to determine a facsimile protocol to be used, nor provide any structure for doing that. Moreover, it is noted that, even if the *Ueno* approach were modified in view of *Kinoshita* in the fashion proposed in the Office Action (and assuming for argument's sake that such modification would be a permissible one), the result would not meet the terms of Claim 1.

In fact, Applicant submits that nothing in any of the cited references shows or suggests, at least, features (2) and (3) of Claim 1, and accordingly, Claim 1 is believed to be clearly allowable over these patents, taken separately or in any permissible combination.

Independent Claim 6 is directed to a communication method of a communication apparatus adapted to execute a plurality of kinds of facsimile protocols and having a memory that stores ID information for identifying a calling station and facsimile protocol information for indicting a facsimile protocol used for communication with the calling station, in correspondence with each other. In the method recited in Claim 6, there are a call signal detection step, of detecting a call signal from a communication line, and an ID detection step, of detecting ID information for identifying a calling station from the

communication line before a start of communication with the calling station, when the call signal has been detected in the call signal detection step. In addition in a communication step, communication is performed with the calling station by a first facsimile protocol to determine a facsimile protocol used for image communication when the ID information cannot be detected in the ID detection step, and using a facsimile protocol corresponding to the ID information detected in the ID detection step, when the ID information can be detected in the ID detection step.

Among other important features of the method of Claim 6 are that (1) ID information for identifying a calling station and a facsimile protocol are stored in a memory in correspondence with each other, (2) when the ID information for the calling station cannot be detected at reception of a call signal to determine a protocol to be used for image communication, and (3) when the ID information can be detected at reception of the call signal, communication is executed based on the facsimile protocol corresponding to the ID information as detected.

For the same reasons as discussed above in connection with Claim 1, Claim 6 also is deemed allowable over the prior art applied against it.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application depend from one or another of the independent claims discussed above and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect

of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

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